

Application/Control Number: 10/067,851  
Art Unit: 2683

Docket No.: 2001-0330

### **REMARKS**

Reconsideration and allowance are requested. Claims 3 – 7, 10 – 16, 19 and 24 – 25 are amended. Claim 8 is cancelled. Some of the claim amendments above merely correct dependency issues (claim 25) and remove unnecessary language (24, 25) and are not for patentability.

#### **Rejection of Claims 1 and 2 Under Section 102**

The Examiner rejects claims 1 and 2 as being unpatentable in view of Publication No. 2002/0046035 A1 to Kitahara et al. ("Kitahara et al."). Applicants traverse this rejection and submit that Kitahara et al. fail to teach each limitation of these claims.

Claim 1 recites a system for providing location based translation services through a wireless device. The network node of the claim stores data related to probable languages spoken according to geographical location. The Examiner points to FIG. 1, element 1 and elements 1000, 7 and 10 with accompanying description to assert that Kitahara et al. teach claim 1. However, upon further study of these components, while they discuss language translation, in no place in Kitahara et al. do they mention storing data related to probably language spoken according to geographical location. There is further nothing in Kitahara et al. that discloses or discusses transmitting to the wireless device a target language from the network node according to the location of the wireless device. The teachings of Kitahara et al. are exclusively based on the user simply selecting from a table (feature 10 and shown in FIG. 5) the appropriate translate-to language. Claim 1 requires a connection to the location of the device, which is not taught or suggested by Kitahara et al. For these reasons, Applicants respectfully request that the Examiner withdraw the rejection of claim 1 and dependent claim 2 in view of Kitahara et al.

Claim 2 is patentable over Kitahara et al. because it depends from claim 1 and further by way of its recited limitations. Claim 2 requires that a user be able, from a status of the

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device being able to generally choose applications on the wireless device, to select translation services via a single input to the device and wherein the target language is preselected. This single input feature is not taught by Kitahara et al. The Examiner points to FIG. 5 as teaching this feature, however, FIG. 5 requires the user to provide numerous inputs to get to the selected language for translation. While viewing a table of languages to choose for translation, the user must “press[] the prescribed buttons, to which the function of the shifting cursor is assigned, to select” the chosen language. Kitahara et al. also teach presenting a display and vertical shift buttons that a user must touch or press to select a second language for translation. Alternately, the user must enter a telephone number that matches the desired language. Each of these approaches involves a number of user inputs to get to the desired language.

FIG. 4 of Kitahara et al. teaches about a “service menu” which, if the Examiner equates the service menu to the status of being able to generally choose applications on the device, would mean that to anticipate the invention of claim 2, Kitahara et al. would have to teach that a single input can get the user to the selected translation service wherein the target translation language is preselected. Kitahara et al. do not teach this single input process. First, while viewing the service menu, the user must press the prescribed buttons until the third item, “automatic interpretation” is highlighted. Then the user presses another prescribed button to fix the selection. Then the user may press more prescribed buttons to shift and select translation from language to language such as “Japanese-English”. See, Paragraphs [0038] - [0039]. There is also no teaching that the target language which is based on a location of the wireless device is what is preselected for the user. In Kitahara et al., they only disclose that there is an initial state, shown in FIG. 5, wherein a language to language set is at the top of the list and highlighted, but they do not teach anything regarding how that language is selected.

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Therefore, there are several reasons why claims 1 and 2 are not taught or suggested by Kitahara et al. Applicants submit that these claims are patentable and in condition for allowance.

#### **Rejection of Claims 5 - 9 Under Section 102**

The Examiner rejects claims 5 - 9 as being unpatentable over U.S. Patent No. 6,385,586 to Dietz ("Dietz"). Applicants have cancelled claim 8 and amended claims 5 - 7 and 9. These claims are now patentable and in condition for allowance.

Claim 5 now recites that the language and location database module stores a plurality of prioritized probable target languages according to a geographical area. Dietz fails to teach this limitation in that his disclosure merely teaches a single default translation language based on the server's determination of which country is being utilized. Therefore, Applicants submit that claim 5 is patentable in that it recites both a plurality of languages per a geographical area and a prioritization of those probable target languages. Dietz fails to teach these two claim limitations. Therefore, Applicants submit that claim 5 is in condition for allowance.

Claim 6 depends from claim 5 and recites the further limitation that the most probable target language from the plurality of prioritized probable target languages is transmitted to the wireless device and is preselected. Dietz fails to teach this limitation and therefore claim 6 is patentable.

Claim 7 recites a method of providing location-based translation services on a wireless device comprising determining a location of the device and associating the location of the device with a list of a plurality of probable target languages spoken at the location. The Examiner asserts that Dietz discloses the invention of claim 7 in column 4, lines 31 - 64 and FIG. 2. Applicants note that Dietz does not teach this limitation because they disclose a simpler method of simply associating a single language (like Portuguese) with a country (such as Brazil.). Notably, as mentioned above with reference to claim 5, Dietz states that the

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device sends its location to a server which then determines the default translate to language based on the country in which the device is being utilized. There is no teaching or suggestion that the system generates a list of a plurality of probable languages spoken at a location. Therefore, Applicants submit that claim 7 is patentable and in condition for allowance.

Claim 8 is cancelled and claim 9 depends from claim 7. Dietz fails to teach the limitation of this claim, which requires presenting the user with a menu of the group of prioritized probable target languages if the user indicates a desire for a language other than the preselected most probable language. Dietz simply assumes that there is only one default language per country instead of the possibility of a prioritized list of probable languages spoken according to a location. Therefore, Applicants respectfully submit that claim 9 is patentable and in condition for allowance.

**Rejection of Claims 3 - 4 and 10 - 25 Under Section 103**

The Examiner rejected claims 3 - 4 and 10 - 25 as being obvious in view of Dietz and Kitahara et al. Applicants have amended several of these claims without prejudice and submit that the claims are now patentable.

Claim 3 recites that the node transmits to the device a prioritized list of a plurality of target languages based on the location of the wireless device. As discussed above, neither Dietz nor Kitahara et al. teach this limitation. Dietz at best teaches that a country has a single default language assigned. The Kitahara et al. listing of languages is not prioritized and is not taught as being based on a current location of the device. Kitahara et al. merely teach sending a table to the device so that the user can select the originating language and translation language. Paragraph [0039]. Kitahara et al. fail to tie the listing of languages to a location of the device.

Even if combined, Dietz and Kitahara et al. fail to teach the present invention. For example, from Kitahara et al. we learn to provide a listing of languages. FIG. 5 shows the listing with one source/target language highlighted. Absent from Kitahara et al. is any

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teaching of prioritizing a group of probable languages based on location. Dietz teaches determining a single default “translate to” language based on the server’s determination of what country the device is in. Col. 4, lines 51 – 54. If this default language determination was combined with Kitahara et al, then the resulting teaching would be that the default language is set in the Dietz listing. Even with these combined teachings, there is no teaching of prioritizing the listing based on probabilities. Therefore, Applicants submit that claim 3 and dependent claim 4 are patentable and in condition for allowance.

Claim 10 is amended to recite that the method of providing location-based services on the wireless device comprises associating the location of the wireless device with a group of probable target languages. As discussed above, neither Dietz nor Kitahara et al. teach this limitation. Therefore, claim 10 and dependent claims 11 – 14 are patentable and in condition for allowance.

Furthermore, claim 13 recites comparing demographic data in a network node with cell sites served by the network node with the location of the wireless device. Neither Dietz nor Kitahara et al. teach utilizing demographic data on a cell by cell basis. Dietz only teaches assigning a default language based on a country. Claim 14 also references using demographic data which is not taught or suggested by the references.

Claim 15 recites receiving a group of prioritized target languages based on the location of the wireless device. As discussed above, this feature is not taught or suggested in the prior art of record. Claims 16 and 17 include a similar limitation requiring receiving a group of probable languages spoken based on the location of the wireless device. Therefore, Applicants submit that claims 16 and 17 and dependent claim 18 are patentable and in condition for allowance.

Claim 19 also recites storing and transmitting a group of probable target languages in cell associated with a network node. This feature is simply not taught or suggested in either Dietz or Kitahara et al. Therefore, claim 19 is patentable as well

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Claims 20 – 25 focus on the multi-modal interaction of the user with the device. The Examiner did not provide any comparison of the limitations of these claims to Dietz or Kitahara et al. Applicant submits that neither Dietz nor Kitahara et al. teach the first and second window approach recited in claim 20. This becomes clear from a review of the figures in each prior art reference. Therefore, Applicants respectfully submit that these claims are patentable over the prior art of record.

Claims 21 and 22 depend from claim 20 and recite further limitations therefrom. Accordingly, Applicants submit that these claims are patentable as well.

Claims 23 and 24 recite a method of multi-modal interaction with a first and second user. A first window and a second window are used in the process. As mentioned above, neither Dietz nor Kitahara et al. use two windows to provide the translation interaction with users. Therefore, Applicants submit that the Examiner withdraw this rejection of these claims.

Claim 25 depends from claim 23 and recites further limitations therefrom. Claim 25 recites receiving from a wireless network a group of languages prioritized by probable need according to a location of the device, wherein the second language has the highest probability of needing translation. As discussed above, Dietz and Kitahara et al. each fail to teach prioritizing a group of languages according to location. Therefore, this claim is patentable over the prior art of record.

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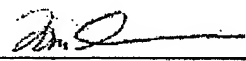
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CONCLUSION

Having addressed the rejection of claims 1 - 25, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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